

January 29, 2003

Public Notice for 401 Certification

**California Department of Transportation
Feliz Creek Bridge Retrofit Project
WDID No. 1B02185WNME
Mendocino County**

On November 18, 2002, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. Jason Meigs, Biologist, on behalf of California Department of Transportation (CDOT), requesting Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) for the Feliz Creek Bridge Retrofit Project near the town of Hopland in Mendocino County. The proposed project will cause disturbances to riparian habitat associated with the Ukiah Hydrologic Subarea No. 114.31.

The original Feliz Creek Bridge was constructed in 1934 and made up of 9 simple spans constructed on reinforced concrete piles. The proposed project is located along Highway 101 where the freeway passes over Feliz Creek. The project consists of widening the bridge to 16.52 meters, addition of steel piles to support the widened portions of the bridge, addition of a bridge approach guardrail, footing work, and the construction of in-fill walls between the existing and proposed columns to prevent scouring.

Feliz Creek is a migratory corridor for federally listed Steelhead, as well as Coho and Chinook Salmon, which are candidates for listing. Other sensitive species that will potentially be affected by the project are foothill yellow-legged and northern red-legged frogs, as well as the western pond turtle. Potential effects on this species are temporary permanent habitat loss as well as possible disruption of bat and/or swallow nesting and roosting. Temporary disturbances will impact 0.828 acres of the riparian zone outside of the Ordinary High Water Mark (OHWM) and 0.430 acres of the streambed, while 0.106 acres of the riparian zone and 0.050 acres of streambed will be permanently affected, resulting in a total of 0.156 acres of Waters of the United States that will be permanently impacted.

Non-compensatory mitigation for the project includes conduction of work only when the streambed is dry, minimization of disturbance to the creek channel, containment measures in accordance with a Water Pollution Control Plan required by CDOT, site dewatering, sealing or curing of concrete piers within the OHWM, environmentally sensitive access road construction, and avoidance of impacts to sensitive species. Proposed compensatory mitigation involved bank stabilization and re-planting with native species, as well as a combined effort by CDOT, California Department of Fish and Game (CDFG), Mendocino County Resource Conservation District, and local landowners to expand upon the riparian restoration and fish habitat improvement project that is proposed immediately downstream of the project site. In addition, CDOT proposes to allocate up to \$40,000 to CDFG for restoration upstream of the project site.

To comply with the California Environmental Quality Act (CEQA), the State Clearinghouse (SCH) conducted a review of the Negative Declaration for the project, ending October 25, 2002 (SCH # 2002092091). In addition, CDOT has applied for a permit from the United States Army Corps of Engineers (ACOE) pursuant to the Clean Water Act, Section 404, and a Lake or Streambed Alteration Agreement 1601 permit from CDFG.

The project is scheduled in two phases. Phase 1 will take place from March through November 2003, while phase two will take place from March through November 2004. Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Mona Dougherty by phone at (707) 570-3761, or e-mail dougma@rb1.swrcb.ca.gov within 21 days of the posting of this notice.